

MINUTES OF THE ANKENY CITY COUNCIL

Monday, July 18, 2022 5:30 PM

Ankeny Kirkendall Library - City Council Chambers

Mark Holm, Mayor

Bobbi Bentz, Mayor Pro tem

Council Members: Jeff Perry, Joe Ruddy, Todd Shafer, Kelly Whiting

Mayor Mark Holm called the meeting to order at 5:30 PM. Council Members Bobbi Bentz, Jeff Perry, and Joe Ruddy were in attendance. Council Member Todd Shafer joined the meeting electronically. Council Member Kelly Whiting was absent. City Manager David Jones and City Attorney Amy Beattie were also present. Mayor Holm led in the Pledge of Allegiance.

PUBLIC FORUM

1. Nicholas Brodeur, 305 SW Pleasant St, Ankeny spoke to Ericson Auto parking issues and street conditions in Uptown Ankeny.
2. Jon Shelton, 2705 NW 10th Ct, Ankeny spoke to proposed Ordinance 2115.

APPROVAL OF AGENDA

1. Council Member Bentz moved, Perry seconded, to approve and accept the July 18, 2022 agenda as presented. Ayes: 4.

APPROVAL OF CONSENT AGENDA

Minutes

1. Official council actions of the regular meeting of July 5, 2022, as published.
2. Receive and file minutes of the Plan and Zoning Commission meeting of June 21, 2022.
3. Receive and file minutes of the Civil Service Commission meeting of June 13, 2022.

Licenses and Permits

4. Issuance of cigarette/tobacco/nicotine/vapor permit(s) in the City of Ankeny.
5. Issuance of liquor license(s) and/or beer/wine permit(s) in the City of Ankeny.

Finance/Budget

6. Receive and file Financial Reports for June 2022.
7. Receive and file Building Permit Report for June 2022.
8. Receive and file Utility Billing Report for June 2022.
9. Change Order #2 increasing the contract amount by \$2,242.20 to Absolute Concrete Construction, Inc., for construction services on the SE 3rd Street Utility Improvements-Phase 1 project.
10. Change Order #1 increasing the contract amount by \$5,960.00 to Construct Inc., for construction services on the NW 36th Street and NW State Street Interim Improvements project.
11. Change Order #1 increasing the contract amount by \$0 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Extension - SE Magazine to SE Oralabor Road project.
12. Change Order #1 increasing the contract amount by \$13,914.10 to OMG Midwest, Inc., DBA Des Moines Asphalt & Paving, for construction services on the 2022 Asphalt Street Resurfacing Program – SW Ordinance Rd project.
13. Change Order #2 increasing the contract amount by \$23,221.00 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE - Phase 2 project.

14. Payment #3 in the amount of \$110,721.55 to Absolute Concrete Construction Inc. for construction services on the NE 36th Street Reconstruction Project - I-35 to NE Four Mile Drive.
15. Payment #3 in the amount of \$475,828.78 to Absolute Concrete Construction, Inc., for construction services on the NW 36th Street Widening - NW Ash Drive to N Ankeny Boulevard project.
16. Payment #1 in the amount of \$61,750.00 to Absolute Concrete, for construction services on the 2022 PCC Reconstruction Program - NW 5th Street project.
17. Payment #2 in the amount of \$116,299.10 to Absolute Concrete Construction, Inc. for construction services on the SE 3rd Street Utility Improvements - Phase 1 project.
18. Payment #1 in the amount of \$331,630.56 to Con-Struct, Inc., for construction services on the NW 36th Street and NW State Street Interim Improvements project.
19. Payment #2 in the amount of \$289,346.49 to Con-Struct, Inc., for construction services on the 2022 PCC Reconstruction Program - SE Peachtree Drive project.
20. Payment #11 in the amount of \$628,008.88 to Cramer & Associates, Inc., for construction services on the High Trestle Trail Ext Magazine Rd to Oralabor Rd project.
21. Payment #15 in the amount of \$41,877.85 to FOX Strand, for engineering services on the Ankeny ASR project.
22. Payment #4 in the amount of \$140,032.53 to Gus Construction, for construction services on the NE Four Mile Drive RCB Culvert for Deer Creek project.
23. Payment #1 in the amount of \$23,100.00 to HDR Engineering, Inc., for engineering services on the NW Irvinedale Elevated Storage Tank project.
24. Payment #14 in the amount of \$4,300.01 to HR Green, Inc., for engineering services on the S Ankeny Blvd and Magazine Rd Safety Improvements project.
25. Payment #1 in the amount of \$305,054.65 to Iowa Civil Contracting, Inc., for construction services on the 2022 PCC Street Patching Program project.
26. Payment #22 in the amount of \$7,442.98 to Kirkham Michael & Associates, Inc., for engineering services on the NE Four Mile Drive RCB Culvert for Deer Creek project.
27. Payment #4 in the amount of \$25,675.21 to McClure Engineering Company, for engineering services on the NW 18th Street Reconstruction - NW Ash Dr. to N Ankeny Blvd. (Design) project.
28. Payment #16 in the amount of \$17,809.00 to MSA Professional Services, Inc., for engineering services on the NW 36th Street and NW Weigel Drive Water Main project.
29. Payment #1 in the amount of \$275,989.56 to OMG Midwest, Inc., DBA Des Moines Asphalt & Paving, for construction services on the 2022 Asphalt Street Resurfacing Program - SW Ordinance Rd project.
30. Payment #4 in the amount of \$6,854.25 to On Track Construction, LLC, for construction services on the NW 36th Street and NW Weigel Drive Water Main (Construction) project.
31. Payment #12 in the amount of \$143,375.15 to Reilly Construction Company Inc., for construction services on the West First Street Widening and Improvements - Phase 1 project.
32. Payment #1 in the amount of \$12,153.96 to Shekar Engineering, PLC, for construction services on the 2022 Pedestrian Ramp Improvements Program project.
33. Payment #1 in the amount of \$34,746.67 to Shekar Engineering, PLC, for construction services on the 2022 Pedestrian Ramp Improvements Program-Briarwood project.
34. Payment #9 in the amount of \$144,996.60 to Spring Lake Construction LLC, for construction services on the NW Northlawn Area Utility Improvements - Phase 1 project.
35. Payment #3 in the amount of \$406,527.55 to Sternquist Construction, for construction services on the SE Crosswinds Drive RISE – Phase 2 project.
36. July 18, 2022 Accounts Payable Payable by Fund: General 250,739; Hotel Motel Tax 900; Road Use Tax 29,342; Police/Fire Pension 6,107; Library Foundation 2,050; Water 698,156; Sewer 533,739; Storm Water 33,127; Golf Course 44,221; Enterprise Project 329,092;

Revolving 915; Risk Management 45,883; Health Insurance 36; Capital Projects Funds 3,561,353; Payroll Totals 1,442,724; Transfers/ACH (191,258); Agenda Payments approved separately (3,628,109); Grand Total \$ 3,159,017.

37. Amendment to the City Council action of May 17, 2021, to purchase a new ambulance for the Fire Department.

Personnel Items

38. Civil Service Commission certified lists for appointment to: Equipment Operator - Public Works; Budget Analyst – City Manager's Office; Lead Fleet Technician - Public Works; subject to passing any further departmental requirements.

Community Development

39. **RESOLUTION 2022-349** accepting the First Amendment to Storm Water Management Facility Maintenance Covenant and Permanent Easement Agreement associated with the development of Villas at Prairie Trail Plat 4 and the Nelson Senior Living site plan at 2855 SW Vintage Parkway.
40. Pheasant Trail Plat 1 Preliminary Plat.

Engineering

41. **RESOLUTION 2022-350** authorizing the execution of a Federal-Aid Swap Agreement for Surface Transportation Block Grant (STBG) funding between the Iowa Department of Transportation (Iowa DOT) and the City of Ankeny, Iowa, for the sharing of project costs for the proposed NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project.
42. **RESOLUTION 2022-351** accepting a purchase agreement and approving documents for the acquisition of temporary construction easement for the NE Delaware Avenue Reconstruction - NE 5th Street to 700 feet North of NE 18th Street project in Ankeny, Iowa. (1025 NE Fountain View Court - Brendeland)
43. **RESOLUTION 2022-352** accepting maintenance bond for paving in Hidden Creek Multi-Use 2020 Roadway Improvements.
44. **RESOLUTION 2022-353** accepting a proposal from Greentech of Iowa in the amount of \$64,050.00 for the construction of the 2022 City-Wide Permanent Surface Restoration project.
45. **RESOLUTION 2022-354** releasing original bonds approved under resolution No. 2017-207, and accepting new contract, performance and maintenance bonds for the Construction of sanitary sewer main improvements for the Ankeny Market Village project.

Capital Improvement Projects

46. **Otter Creek Sanitary Sewer Improvements - Phase 3**: a) Certificate of Completion; b) **RESOLUTION 2022-355** accepting the public improvements with Rognes Corporation in the amount of \$474,322.00; c) Change Order #2 for (\$19,495.00); d) Final Payment #3 in the amount of \$871.62 / Release of Retainage in the amount of \$23,716.10.

Approval of Consent Agenda Items

1. Council Member Ruddy moved, second by Bentz, to approve the recommendations for Consent Agenda Items CA-1 through CA-46. Ayes: Ruddy, Bentz, Perry, Shafer.

LEGISLATIVE BUSINESS

Boards/Commissions Appointments

1. Council Member Ruddy moved, seconded by Perry to accept Mayor's appointment of Miranda Piepho to the Library Board of Trustees, effective July 18, 2022 – June 30, 2026. Ayes: Ruddy, Perry, Bentz, Shafer.

Approval of Ordinances

1. **Ord 2115.** An Ordinance amending the Code of Ordinances of the City of Ankeny, Iowa, by amending Section 41.10 throwing and shooting and adding a new Section 41.11 bow and arrow target shooting. Council Member Bentz moved, Perry seconded, to accept third consideration of Ordinance 2115, sending it on its final passage and publication as required by law. Ayes: Bentz, Perry, Ruddy, Shafer.
2. **Ord 2116.** An Ordinance amending Chapter 152, Sidewalk Regulations, of the Municipal Code of the City of Ankeny, Iowa. Council Member Ruddy moved, Bentz seconded, to accept third consideration of Ordinance 2116, sending it on its final passage and publication as required by law. Ayes: Ruddy, Bentz, Perry, Shafer.
1. **Ord 2117.** An Ordinance amending the Zoning Regulations, Chapter 192, of the Municipal Code of the City of Ankeny, Iowa, to rezone certain property owned by Moeckly Family Farm, LLC, from the current R-1, One-Family Residence District, to PUD, Planned Unit Development (PH 2022-55). Council Member Bentz moved, Ruddy seconded, to accept second consideration of Ordinance 2117. Ayes: Bentz, Ruddy, Perry, Shafer. Bentz moved, Perry seconded to accept request to suspend the rule that all ordinances must be considered on three different days and accept third consideration of ORDINANCE 2117, sending it on its final passage and publication as required by law. Ayes: Bentz, Perry, Ruddy, Shafer.

NEW BUSINESS

1. Uptown Parking Improvements - Professional Services Agreement with MSA Professional Services, Inc. Council Member Perry moved, Ruddy seconded, to approve the Professional Services Agreement with MSA Professional Services, Inc., for the design engineering and bidding phase services on the Uptown Parking Improvements in an amount not to exceed \$41,710.00 and the Mayor to execute said agreement. Ayes: Perry, Ruddy, Bentz, Shafer.
2. SW State Street Reconstruction - Southbound Lanes -Professional Services Agreement with McClure Engineering Company Council Member Bentz moved, Perry seconded, to approve the Professional Services Agreement with McClure Engineering Company for design engineering services on the SW State Street Reconstruction - Southbound Lanes project in an amount not to exceed \$102,600.00 and authorize the Mayor to execute said Agreement. Ayes: Bentz, Perry, Ruddy, Shafer.
3. Ankeny Youth Triathlon - Temporary Street Closure - July 23, 2022 Council Member Ruddy moved, Bentz seconded, to adopt **RESOLUTION 2022-356** authorizing temporary street closings for the purpose of the Ankeny Youth Triathlon. Ayes: Ruddy, Bentz, Perry, Shafer.
4. Purchase Agreement for 2.5 acres of real property Council Member Ruddy moved, Perry seconded, to authorize entering into the attached Purchase Agreement with TJL Investments LLC and DNF LLC. Ayes: Ruddy, Perry, Bentz, Shafer.

ADJOURNMENT

1. Meeting was adjourned at 5:53 PM.

Michelle Yuska, City Clerk

Mark E. Holm, Mayor

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